

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-vs-

PITTSFORD CAPITAL INCOME PARTNERS,
L.L.C., PITTSFORD INCOME PARTNERS, II,
L.L.C., PITTSFORD INCOME PARTNERS
III, L.L.C., PITTSFORD INCOME
PARTNERS IV, L.L.C., PITTSFORD INCOME
PARTNERS V, L.L.C., JEFFERSON INCOME
PARTNERS, L.L.C., PITTSFORD CAPITAL,
L.L.C., PITTSFORD CAPITAL MORTGAGE
PARTNERS, L.L.C., PITTSFORD CAPITAL
GROUP, INC., MARK PALAZZO, and
EDWARD TACKABERRY,

Defendants,

and

COMMUNICATE WIRELESS, L.L.C.,
MONROE WIRELESS, L.L.C., and
MICHAEL LATINI,

Relief Defendants.

No. 6:06-cv-06353-MAT

**ORDER GRANTING FINAL
COMPENSATION AWARD OF
PROFESSIONAL SERVICES
RENDERED AND
REIMBURSEMENT OF ACTUAL
AND NECESSARY EXPENSES
INCURRED BY COUNSEL FOR
THE RECEIVER FOR THE
PERIOD FROM
OCTOBER 1, 2009, to
AUGUST 30, 2016**

A Final Application ("Final Joint Application") dated September 28, 2016, was filed by Lucien A. Morin, II, Court-appointed receiver ("the Receiver") of Pittsford Capital Income Partners, L.L.C.; Pittsford Income Partners II, L.L.C.; Pittsford Income Partners III, L.L.C.; Pittsford Income Partners IV, L.L.C.; Pittsford Income Partners V, L.L.C.; Jefferson Income

Partners, L.L.C.; Pittsford Capital Mortgage Partners, L.L.C. ; Pittsford Capital Group, Inc.; Pittsford Capital, LLC. ; Pittsford Warrant Partners, LLC; Jelroy LLC; and Maple Street Business Center, LLC; and by McConville, Considine Cooman & Morin, P.C. ("MCCM"), counsel for the Receiver, in which the Receiver and MCCM requested compensation for professional services rendered and expenses incurred during the period from October 1, 2009, through August 30, 2016 ("the Fee Period").

The Final Joint Application was supported by schedules setting forth, for the Fee Period, the expenses incurred and the number of hours expended by the Receiver and by each individual attorney and paraprofessional; and the customary hourly rate charged by MCCM for such services. In particular, the Court notes that the Receiver, whose currently hourly rate in Bankruptcy and District Court matters for 2016 is \$350 per hour, elected not to file an application to increase the hourly rates in this matter. Therefore, all compensation was calculated at the \$250 hourly rate as originally fixed by this Court.

The Final Joint Application provided notice that responses or objections, if any, were required to be specific and in writing, and to be served on counsel for the Receiver, together with proof of service, within ten (10) days.

No objections or responses to the Final Joint Application were submitted.

After due deliberation, the Court hereby **grants** in full the relief requested in the Final Joint Application. Accordingly, it is hereby

ORDERED, that the Final Joint Application is **GRANTED** in full; and it is further

ORDERED, that the Receiver's and MCCM's request for compensation and expenses in the Final Joint Application be allowed in the amount of \$15,000.00 for fees for services rendered; and \$800.00 for reasonable and necessary expenses incurred; for a total award of \$15,800.00; and it is further

ORDERED, that the Receiver is hereby authorized and directed upon the entry of this Order to pay the Receiver and MCCM the amounts of fees and expenses allowed hereby, to the extent such amounts have not already been paid.

ALL OF THE ABOVE IS SO ORDERED

s/ Michael A. Telesca

HONORABLE MICHAEL A. TELESKA
United States District Judge

DATED: October 27, 2016
Rochester, New York